

Congress of the United States
Washington, DC 20515

September 17, 2018

The Honorable Donald J. Trump
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear Mr. President,

Over the past year, your administration has strengthened the bond between the United States and Israel in unprecedented ways. From the historic move of the U.S. Embassy to Jerusalem to signing the Taylor Force Act into law, withdrawing from the flawed Iran Nuclear Deal, and defending Israel in the international community, we are thankful for your administration's continuous commitment to protecting Israel's sovereignty and security. We write today requesting your urgent attention to another important matter regarding the United States recognition of Jerusalem as the capital of Israel. Despite the progress in moving the embassy, the State Department has not yet fully implemented the administration's policy of recognizing Jerusalem as Israel's capital for purposes of registration of birth, certification of nationality, or issuance of a passport of a United States citizen born in the city of Jerusalem.

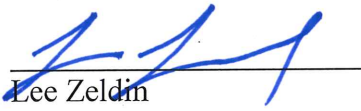
Passports of Americans born abroad ordinarily record the country of birth. The State Department's Foreign Affairs Manual states, "the place of birth for persons born before May 14, 1948, in locations outside Jerusalem's municipal limits at that time, that are now inside Jerusalem's declared municipal limits, is listed as PALESTINE or the name of the location as it was known prior to expansion of Jerusalem's municipal limits at any time following May 14, 1948." The place of birth for persons born in Jerusalem is recorded as "Jerusalem" (with no reference to a country) instead of "Jerusalem, Israel".

In 2002, Congress passed the Foreign Relations Authorization Act, Fiscal Year 2003 (5 U.S.C. 8411), which included Section 214 (d) to direct the Secretary of State, upon request, to list the birthplace of a U.S. citizen born in Jerusalem as "Israel" on an individual's passport. However, past administrations have declined to follow this policy citing final status issues on specific boundaries of Israeli sovereignty in Jerusalem, and the resolution of contested borders. Then, in 2015, the Supreme Court issued a decision on *Zivotofsky vs. Kerry*, which determined that the Constitution gives the President exclusive authority to recognize foreign sovereigns over Congress' authority to regulate passports. Notably, the Court also determined that "the statement required by Section 214(d) would not itself constitute a formal act of recognition." Therefore, the State Department could institute a policy to allow Americans born in Jerusalem to list "Israel" without taking an official position on boundaries or contested borders. The State Department correspondingly permits Americans born in Taiwan to list "Taiwan" on official passport documents, despite the United States' "One China policy."

In May 2017, over 50 Members of Congress signed a detailed letter to former Secretary of State Rex Tillerson urging the State Department to issue a new policy that reflects the will of Congress in support of the birthplace designation. The State Department should faithfully implement the administration's policy, by recognizing all areas within the current municipal boundaries of Jerusalem as "Jerusalem, Israel", supporting Jerusalem as the Capital of Israel both de jure and de facto.

Thank you for your time and consideration. We look forward to working with you on this matter.

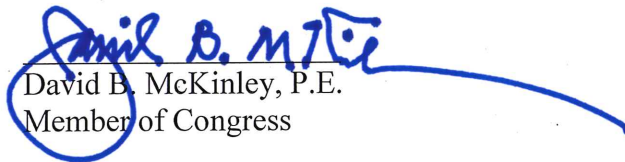
Sincerely,



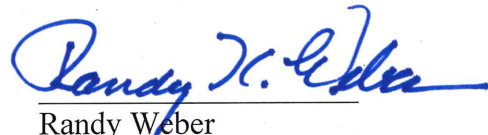
Lee Zeldin
Member of Congress



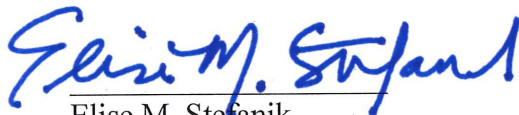
Ileana Ros-Lehtinen
Member of Congress



David B. McKinley, P.E.
Member of Congress



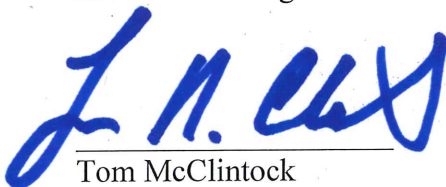
Randy Weber
Member of Congress



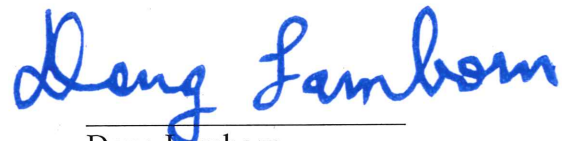
Elise M. Stefanik
Member of Congress



Doug LaMalfa
Member of Congress



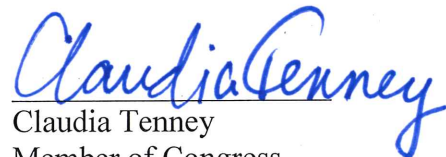
Tom McClintock
Member of Congress



Doug Lamborn
Member of Congress



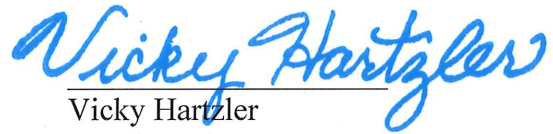
Gus M. Bilirakis
Member of Congress



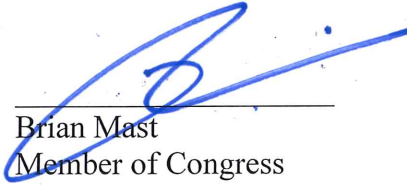
Claudia Tenney
Member of Congress



John Ratcliffe
Member of Congress



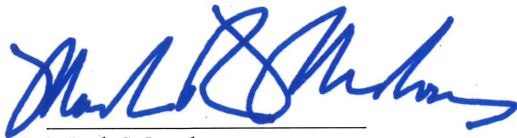
Vicky Hartzler
Member of Congress



Brian Mast
Member of Congress



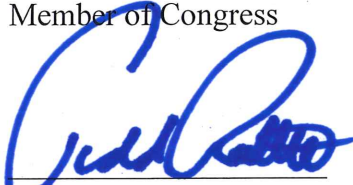
Lou Barletta
Member of Congress



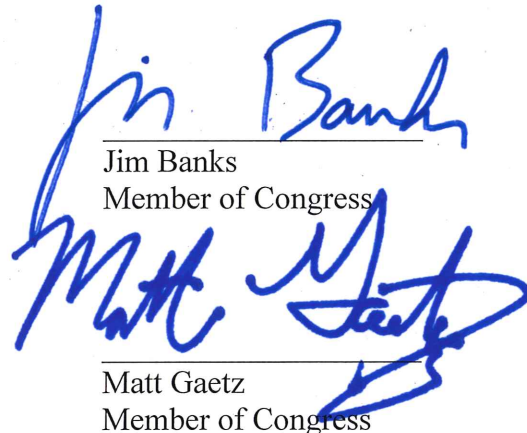
Mark Meadows
Member of Congress



Bill Flores
Member of Congress



Todd Rokita
Member of Congress



Jim Banks
Member of Congress



Susan W. Brooks
Member of Congress

Matt Gaetz
Member of Congress



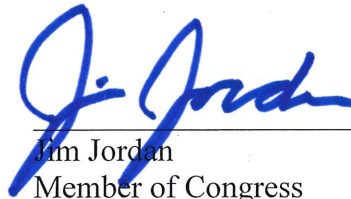
David Schweikert
Member of Congress




Bill Johnson
Member of Congress



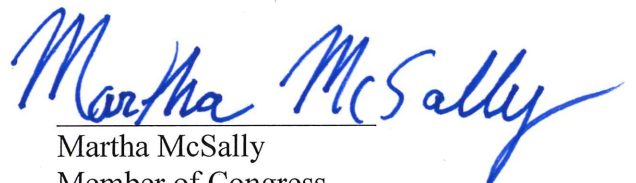
Ted Budd
Member of Congress



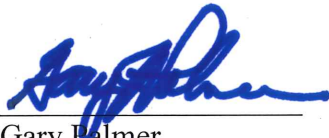
Jim Jordan
Member of Congress



Neal Dunn
Member of Congress



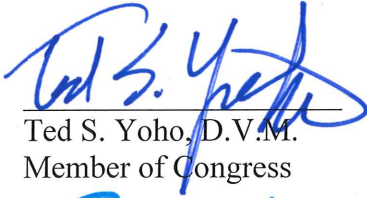
Martha McSally
Member of Congress



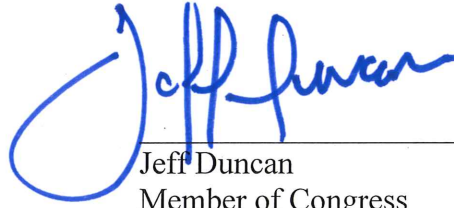
Gary Palmer
Member of Congress



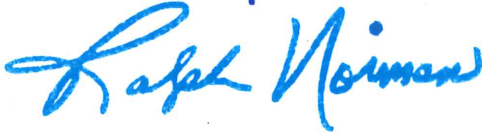
Bob Gibbs
Member of Congress



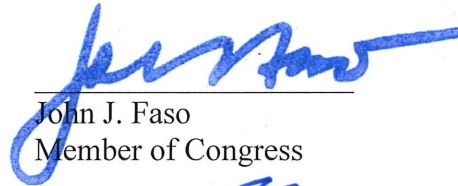
Ted S. Yoho, D.V.M.
Member of Congress



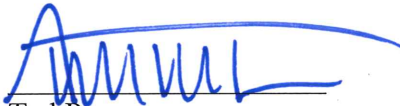
Jeff Duncan
Member of Congress



Ralph Norman
Member of Congress



John J. Faso
Member of Congress



Ted Poe
Member of Congress



Ralph Abraham, MD
Member of Congress



Darrell Issa
Member of Congress



Jody Hice
Member of Congress



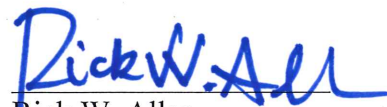
Warren Davidson
Member of Congress



Dennis A. Ross
Member of Congress




Dave Brat
Member of Congress



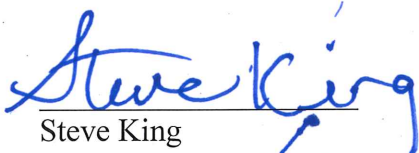
Rick W. Allen
Member of Congress

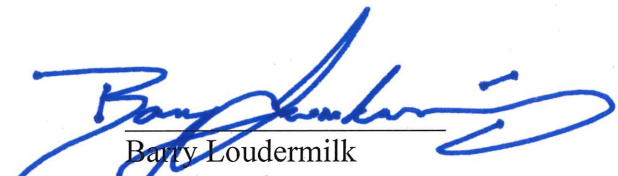


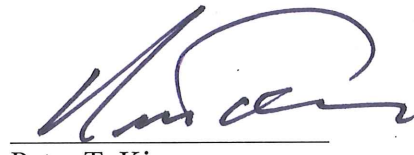
Debbie Lesko
Member of Congress



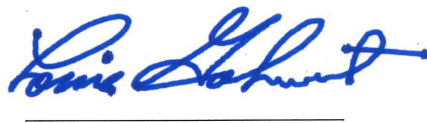
Richard Hudson
Member of Congress


Steve King
Member of Congress

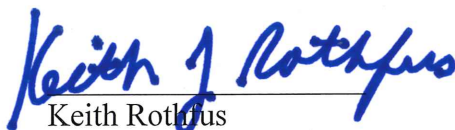

Barry Loudermilk
Member of Congress



Peter T. King
Member of Congress



Glenn Grothman
Member of Congress


Louie Gohmert
Member of Congress

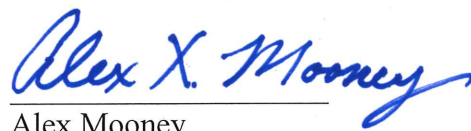

Joe Wilson
Member of Congress



Keith Rothfus
Member of Congress

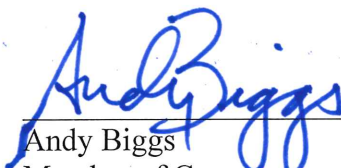

Greg Walden
Member of Congress

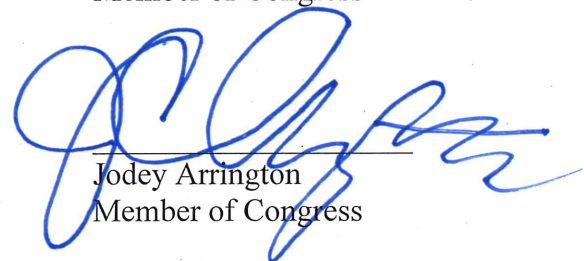

Scott Perry
Member of Congress


Michael T. McCaul
Member of Congress


Alex Mooney
Member of Congress


Mark Walker
Member of Congress


Andy Biggs
Member of Congress


Jodey Arrington
Member of Congress